

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
NEWARK VICINAGE**

Clarence E. Scott, Jr.,	:	
	:	Civil Action No. 14-7475 (SRC)
Petitioner,	:	
	:	
v.	:	<b>ORDER</b>
	:	
Stephen D'Ilio,	:	
	:	
Respondent	:	


**CHESLER**, United States District Judge

This matter comes before the Court upon Petitioner's motion for default judgment in this habeas proceeding under 28 U.S.C. § 2254. (ECF No. 16.) On January 7, 2016, Petitioner sought default judgment against Respondent because Respondent had not filed an answer. However, Respondent electronically filed an Answer to the petition three months earlier, but apparently neglected to mail copies to Petitioner. (ECF Nos. 10, 13.) This Court ordered Respondent to serve a copy of the Answer, brief, and all exhibits on Petitioner, and Respondent has done so. (ECF Nos. 15, 17.) The Court has extended the time in which Petitioner may file a reply to the Answer. (ECF No. 20.)

IT IS therefore on this 27<sup>th</sup> day of April, 2016

ORDERED that Petitioner's motion for default judgment (ECF No. 16) is DENIED; and it is further

ORDERED that the Clerk shall serve this Order on Petitioner  
by regular U.S. mail.



**STANLEY R. CHESLER**  
**United States District Judge**